

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



*Si necesita ayuda para comprender esta informacion, por favor llame
503-588-6173*

DECISION OF THE HISTORIC LANDMARKS COMMISSION

MAJOR HISTORIC DESIGN REVIEW CASE NO.: HIS21-28

APPLICATION NO.: 21-121773-DR

NOTICE OF DECISION DATE: January 25, 2022

SUMMARY: A proposal to replace the transom windows and storefront systems on the primary facade and add new signage ~~a permanent outdoor covered dining area with a canopy adjacent to the primary façade of the Odd Fellows Annex Building (c.1900).~~

REQUEST: Class 3 Major Historic Design Review of a proposal to replace the transom windows and storefront systems and add new signage on the primary facade ~~and add a permanent outdoor covered dining area with a canopy and drapes adjacent to~~ of the Odd Fellows Hall Annex Building, a historic contributing building in Salem's Downtown Historic District, zoned CB (Central Business District), and located at 466 Court Street NE; 97301; Marion County Assessor's Map and Tax Lot number: 073W27AB-90004.

APPLICANT: Curt Renfro

LOCATION: 466 Court St NE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters ~~230.040(d) — Historic contributing building in commercial historic districts; 230.050 — New Construction in commercial historic districts; 230.040(d) — Storefronts; 230.056 — Commercial Signage~~

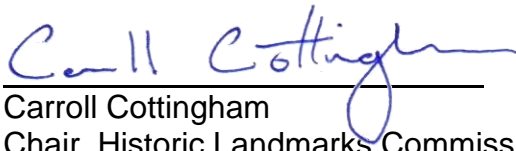
FINDINGS: The findings are in the attached Decision dated January 25, 2022.

DECISION: The **Historic Landmarks Commission APPROVED** Major Historic Design Review Case No. HIS21-28 subject to the following conditions of approval:

Condition 1: The applicant shall salvage the 1936 transom window glass and original frames, numbering their original locations and removing and storing them using accepted preservation and storage methods. The 1936 transom glass shall be retained in a secure, dry storage area on-site (ie. the attic), so future restoration of this glazing within the original frames from the 1936 storefront remodel is potentially feasible within their original locations.

VOTE:

Yes 6 No 0 Absent 3 (Fuller, Mulvihill, Schwartz)



Carroll Cottingham
Chair, Historic Landmarks Commission

The rights granted by the attached decision must be exercised, or an extension granted, by February 10, 2024, or this approval shall be null and void.

Application Deemed Complete:	<u>November 24, 2021</u>
Public Hearing Date:	<u>January 20, 2022</u>
Notice of Decision Mailing Date:	<u>January 25, 2022</u>
Decision Effective Date:	<u>February 10, 2022</u>
State Mandate Date:	<u>May 24, 2022</u>

Case Manager: Kimberli Fitzgerald, kfitzgerald@cityofsalem.net, 503-540-2397

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Wednesday, February 9, 2022. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 230. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173

DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION

CASE NO.: Historic Design Review Case No. HIS21-28

FINDINGS: Based upon the application materials, the facts and findings in the Staff Report incorporated herein by reference, and testimony provided at the Public Hearing of January 20, 2022 the Historic Landmarks Commission (HLC) finds that the applicant adequately demonstrated that their proposal complies with the applicable provisions of the Salem Revised Code (SRC) 230.040(d) and 230.056 as follows:

FINDINGS

SRC 230.040(d) Storefronts

(A) Original material shall, if possible, be retained or repaired.

Finding: The HLC finds that applicant has demonstrated that the original glass within both the storefront and the transom windows is single pane, in poor condition and cannot be easily repaired. The HLC finds that while the original glass and framing is proposed for replacement, the original window and storefront openings will be retained that SRC 230.040(d)1(A) has been met.

(B) Replacement materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions, and configuration of the original materials in the storefront.

Finding: The HLC finds that the applicant is proposing to replace the 1961 era single paned glass and aluminum framing with a new double paned glass and black metal frame within the existing storefront window and transom window openings. While the proposed replacement glass and metal framing is not an exact in-kind replacement, the HLC finds that the proposed materials are metal and glass and fit within the existing openings and that SRC 230.040(1)(B) has been met.

1. Design.

(A) To the extent practicable, original storefront components such as windows, door configuration, transoms, signage and decorative features shall be preserved.

Finding: The HLC finds that the applicant is proposing to retain the existing 1961 storefront and transom window openings. The HLC finds that while the transom windows are not original to the structure, they were added as part of the 1936 remodel. While not original to the structure, this glazing was added during the historic period for the Downtown Historic District and is unique to this structure and therefore, while the HLC finds that replacement with clear glass within new framing is acceptable, the HLC adopts the following **CONDITION** to better meet this standard:

Condition 1: The applicant shall salvage the 1936 transom window glass and original frames, numbering their original locations and removing and storing them using

accepted preservation and storage methods. The 1936 transom glass shall be retained in a secure, dry storage area on-site (ie. the attic), so future restoration of this glazing within the original frames from the 1936 storefront remodel is potentially feasible within their original locations.

(B) Where the original storefront is too deteriorated to save, the commercial character of the building shall be retained through:

- (i) A restoration of the storefront based on historical research and physical evidence.***
- (ii) Contemporary design that is compatible with the scale, design, materials, color and texture of historic compatible buildings in the district.***

Finding: The HLC finds that the applicant is not proposing to significantly alter the appearance and design of the 1961 storefront. However, the applicant is proposing a new black metal trim element placed at the joint where the two large storefront glass panels come together on the interior & exterior. The single paned storefront glass will be replaced with new double paned glass that will be set within new black metal framing within the existing storefront window openings. The HLC finds that these proposed design changes are compatible with the scale, design and materials of the Odd Fellows Annex Building and SRC 230.040(2)(B) has been met.

(C) For buildings that provide a separate upper-story entrance on the exterior facade, the street-level entrance should be the primary focus of the building facade.

Finding: The HLC finds that this building does not have a separate upper story entrance that will be impacted by the project; therefore, the HLC finds that SRC 230.040(2)(C) is not applicable to the evaluation of this proposal.

Signage

Criteria: 230.056. Signs in Commercial Historic Districts. *New buildings may be constructed in commercial historic districts, subject to the following standards:*

(a) Historic Signs.

(1) Notwithstanding SRC chapter 900, historic signs shall be retained whenever possible, particularly if the sign is:

- (A) Associated with historic figures, events, or places significant as evidence of the history of the product, business, or service advertised, or significant as reflecting the history of the building or the development of the historic district;***
- (B) Characteristic of a specific period; or***
- (C) Integral to the design or physical fabric of the building or structure.***

Finding: The HLC finds that the applicant is not proposing to retain, restore or reconstruct a historic sign. Therefore, the HLC finds that SRC 230.056 (a)(1) is not applicable to the evaluation of this proposal.

- 2) Design.** *Historic signs shall be recreated only with historical, pictorial, and physical documentation.*

Finding: The HLC finds that the applicant is not proposing to recreate a historic and that the SRC 230.056 (a)(2) is not applicable to the evaluation of this proposal.

(b) Permanent non-historic signs.

(1) Materials. Permanent non-historic signs shall be constructed of wood, metal, or acrylic.

Finding: The HLC finds that the applicant is proposing to paint the new signage with acrylic paints onto the existing stucco exterior wall and that SRC 230.056(b)(1) has been met.

(2) Design.

(A) Permanent non-historic signs shall be located:

(i) Within an existing sign frame attached to the historic structure provided the sign frame does not obscure significant features of the historic resource; or

Finding: The HLC finds that the applicant is proposing to paint the signage directly onto the exterior of the primary façade of the Odd Fellows Store Annex building (c.1900). While no sign frame currently exists to hold the signage, the HLC finds that the proposed signage will be flush against the façade of the building and it will not obscure any significant character defining features of the resource thereby meeting SRC 230.056 (b)(2)(A)(i).

(ii) Between the transom and sill of the first story and:

(aa) Perpendicular to the corner;

(bb) Flush to the facade; or

(cc) Perpendicular to the building;

Finding: The HLC finds that applicant is not proposing to install the signage between the transom and sill of the first story and therefore 230.056(b)(2)(A)(ii) is not applicable to the evaluation of this proposal.

(iii) Suspended from the awning or marquee.

Finding: The HLC finds that the applicant is not proposing to suspend the signage from the awning and that SRC 230.056(b)(2)(A)(iii) is not applicable to the evaluation of this proposal.

(A) Permanent non-historic signs shall be attached:

(i) Into mortar joints, not into masonry; and

(ii) Where significant features are not obscured.

Finding: The HLC finds that the applicant is proposing to paint the signage directly onto the stucco on the exterior of the primary façade, therefore no brackets or screws are required to install the signage. The HLC finds that no significant character defining features will be obscured or destroyed by the installation of the signage and that 230.056(b)(2)(B)(i) is not applicable to the evaluation of this proposal and 230.056(b)(2)(B)(ii) has been met.

(C) Any permanent non-historic sign that incorporates lighting shall:

- (i) *Not be internally illuminated, except if it incorporates halo illumination utilizing reversed pan-channel letters with an internal light source reflecting off the building;*

Finding: The HLC finds that the applicant is not proposing signage that will be internally illuminated. The applicant finds that the signage will be uplit using an external light source reflecting off the building and that SRC 230.056(b)(2)(C)(i) has been met.

- (ii) *Not exceed 366 watts or 250 nits between sunset and sunrise; and*

Finding: The HLC finds that the applicant is proposing signage that will be illuminated by four light fixtures (two per sign) which will be installed on the top of the awning pointing up toward the signage, not visible from the right of way. The HLC finds that these light fixtures will not exceed 366 watts between sunset and sunrise and that SRC 230.056(b)(2)(C)(ii) has been met.

- (iii) *Not have exposed conduit.*

Finding: The HLC finds that the applicant is proposing to install the conduit through a small opening in the wall located on top of the awning. The HLC finds that the conduit will not be exposed or visible from the right of way and that 230.056(b)(2)(C)(iii) has been met.

The Historic Landmarks Commission **APPROVES** HIS 21-28 with the following CONDITION of APPROVAL:

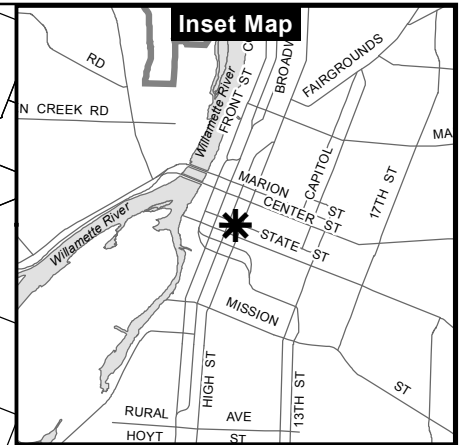
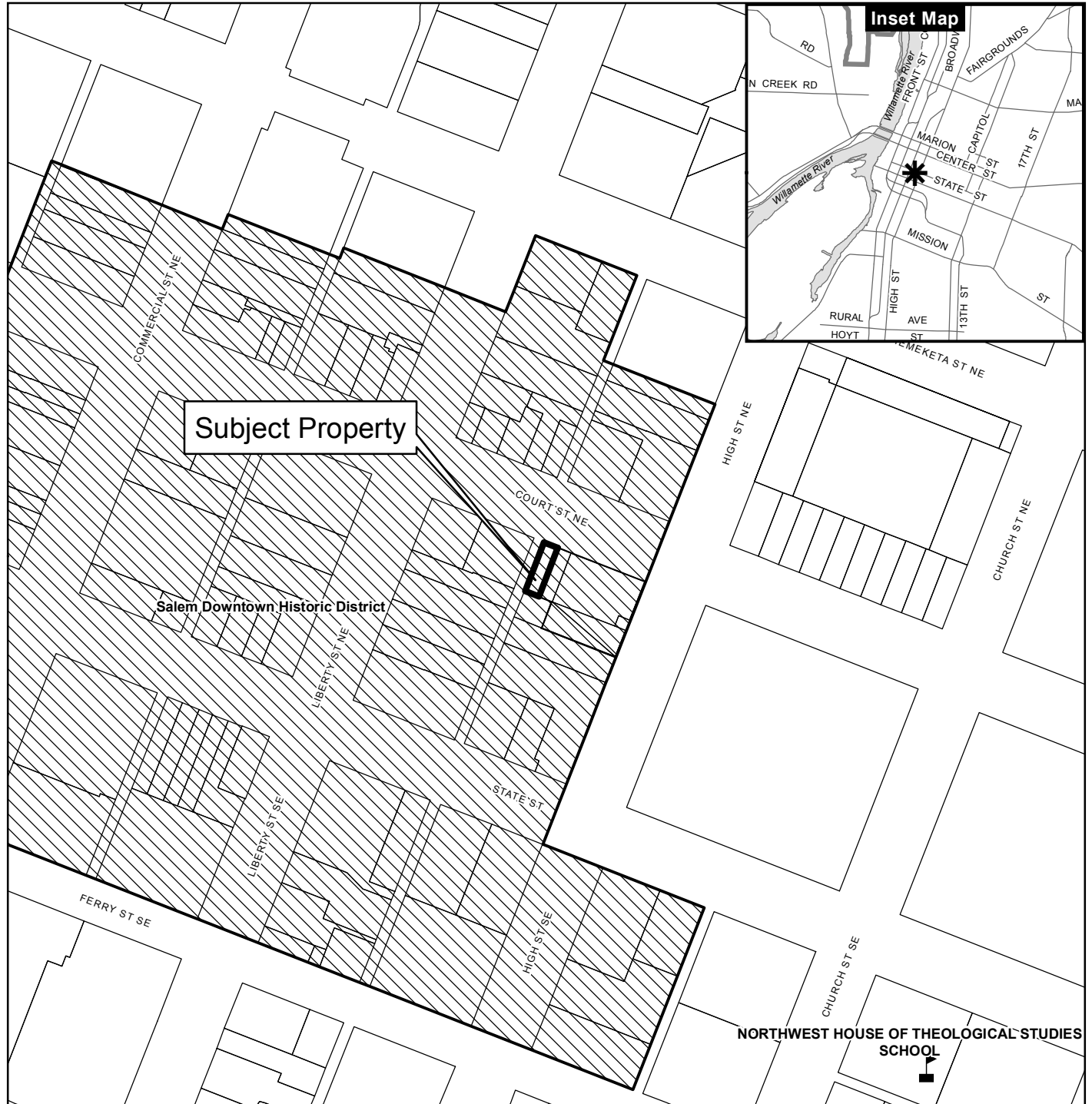
Condition 1: The applicant shall salvage the 1936 transom window glass and original frames, numbering their original locations and removing and storing them using accepted preservation and storage methods. The 1936 transom glass shall be retained in a secure, dry storage area on-site (ie. the attic), so future restoration of this glazing within the original frames from the 1936 storefront remodel is potentially feasible within their original locations.

VOTE: Yes 6 No 0 Absent 3 (Fuller, Mulvihill, Schwartz) Abstain 0

Attachments: A. Vicinity Map
B. Excerpt from Applicant's Submittal Materials

Prepared by Kimberli Fitzgerald, Historic Preservation Officer

Vicinity Map 466 Court St. NE






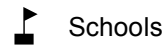



Subject Property

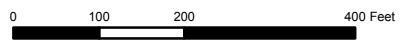
Salem Downtown Historic District

NORTHWEST HOUSE OF THEOLOGICAL STUDIES SCHOOL

Legend

-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

~~GLASS JOINT AUGMENTATION / PLATFORM COVER PERMANENCY W/ DRAW-UP DRAPERY APPLIQUE~~

PROJECT DATA

REFERENT CODE

2019 OREGON STRUCTURAL SPECIALTY CODE

OCCUPANCY CLASSIFICATION (CHAPTER 3)

GROUP: A-2
 USE: RESTAURANT
 OCCUPANT LOAD: OVER 50
 NUMBER OF STORIES: 1

PROJECT CONTACTS

OWNER
 BERNARD MALHERBE
 KITCHEN ON COURT ST
 466 COURT ST NE
 SALEM, OREGON 97301
 503.559.3971

GLAZING INSTALLER
 DARAND & AARON DAVIES
 KASSAUNDR HUTCHINS
 BLACK LINE GLAZING
 2763 22ND STREET SE
 SALEM, OREGON 97302
 503.878.8585
 EMAIL: kassaundra@blacklineglazing.com

CONTRACTOR
 KAUFMAN HOMES INC. #55421
 CURT RENFRO, DESIGNER
 3625 KASHMIR WAY SE
 SALEM, OREGON 97317
 503.370.8390
 EMAIL: curt@kaufman.net

SITE SUPERINTENDENT:
 TROY BATSON
 503.586.6319
 EMAIL: troy@kaufman.net

ROPE & PULLEY DRAPE INSTALLER
 RORY FAUST
 SALEM TENT & AWNING
 280 WALLACE RD NW
 SALEM, OREGON 97304
 503.363.4788
 EMAIL: sales@salemstent.com

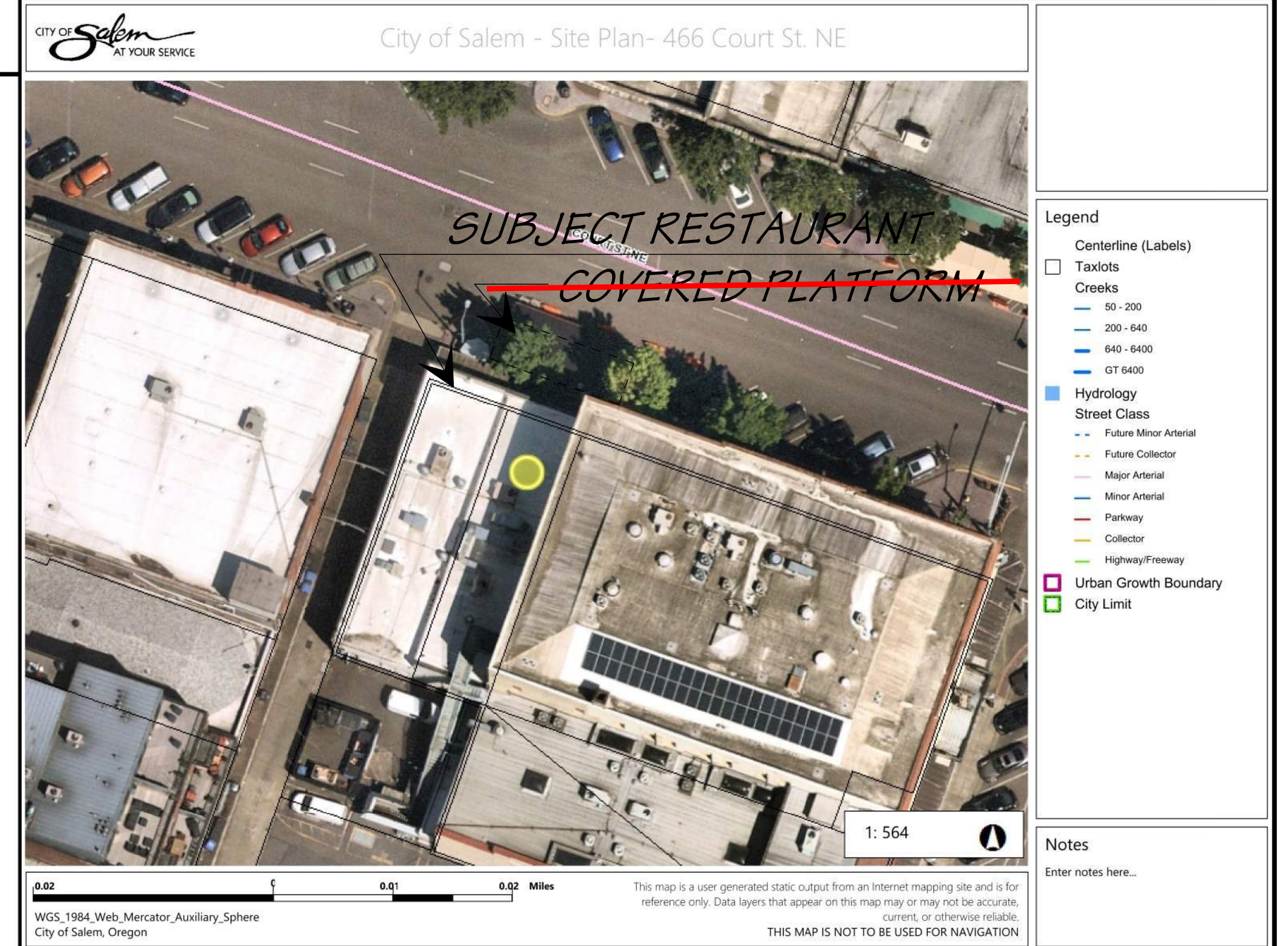
COVERED PLATFORM

REQUEST FOR PERMANENCY

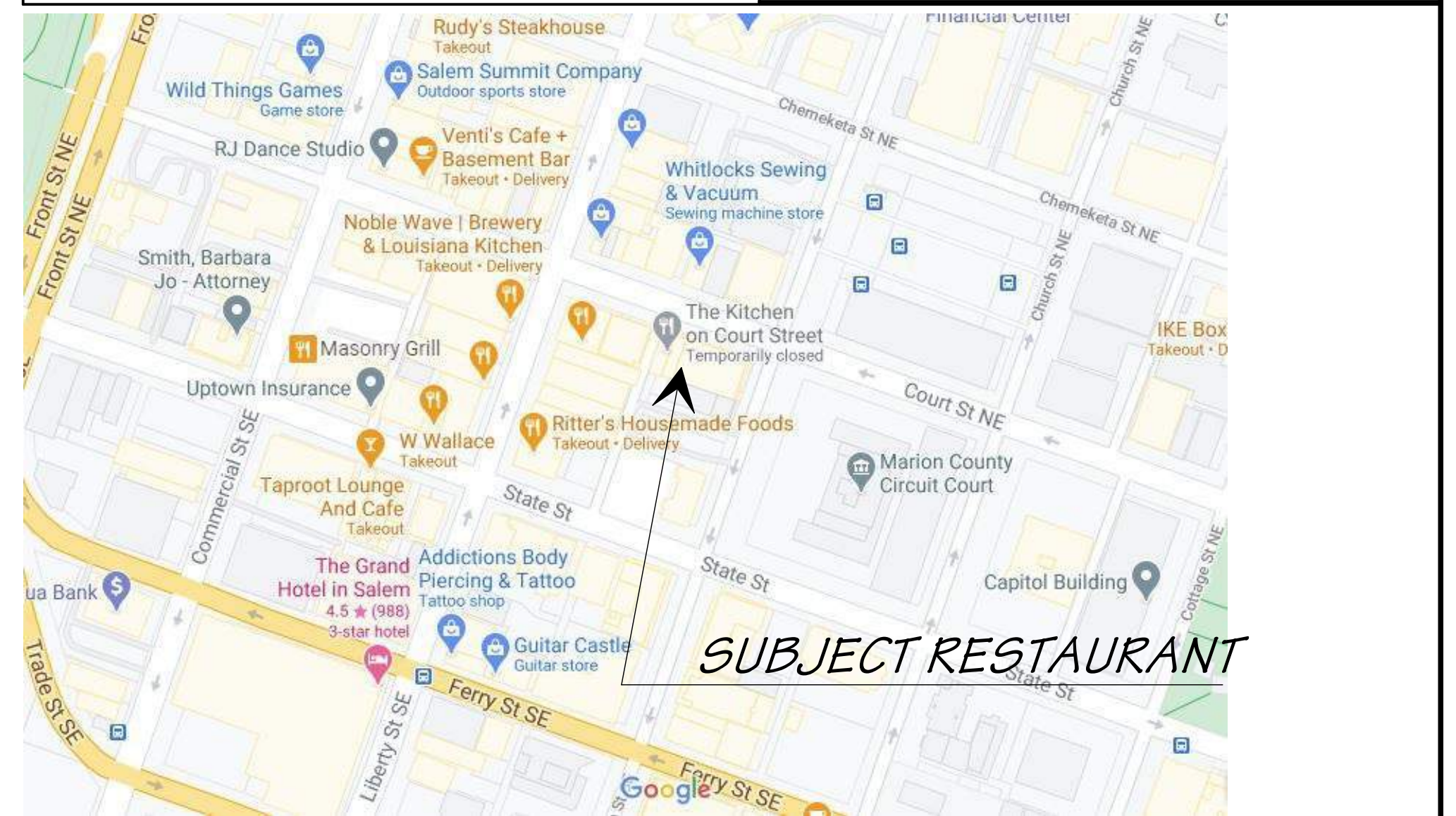
SPACES OCCUPIED = 4 PARKING SPACES
 COVERED PLATFORM
 DEPTH = 12'-0"
 LENGTH = 38'-0"
 OUTDOOR EATING PAVILION = 456 SF

REQUEST FOR DINING PLATFORM WITHDRAWN
 HISTORIC DESIGN REVIEW APPROVAL NOT
 REQUIRED DUE TO COMPLIANCE WITH
 COUNCIL ADOPTED DESIGN GUIDELINES
 FOR DINING PLATFORMS
 APPROVAL THROUGH PUBLIC WORKS

New Proposed Signage
 Added to Scope



SITE PLAN VICINITY MAP



DRAWING INDEX

G1	COVER PROJECT DATA PROJECT CONTACTS SITE PLAN VICINITY MAP
A1	STOREFRONT & COVERED PLATFORM ELEVATIONS FLOOR PLAN
A2	IRL 1:1 SCALE CORNER GLASS DETAIL - AUGMENTED
A3	DRAPERY AWNING INFORMATION

VERIFY ALL CONDITIONS &
 DETAILS PRIOR TO CONSTRUCTION

Kaufman HOMES INC.
 Building extraordinary homes and remodels with thoughtful and timeless appeal
 Creating enduring value and relationships that last a lifetime™
 3625 Kashmir Way SE, Salem, OR 97317 (503) 370-8390

COMMENTS & REVISIONS

A GLASS JOINT AUGMENTATION & COVERED PLATFORM PERMANENCY W/
 DRAPERY (CLASS III HISTORICAL REVIEW) FOR

KITCHEN ON COURT ST
 466 COURT ST NE SALEM, OREGON 97301

DATE
 11/19/2021
 SCALE
 PER PLAN/
 DETAIL
 PLOT DATE

SHEET
G1

Historic Alteration Review Worksheet

Site Address: 466 Court St Ne, Salem, Oregon 97301

Resource Status: Contributing Non- Contributing Individual Landmark

Type of Work Activity Proposed: Major Minor

Chose One: Commercial District Individual Resource Public District
Residential District Sign

Replacement, Alteration, Restoration or Addition of:

Architectural Feature:

- Awning
- Door
- Exterior Trim, Lintel
- Other architectural feature
- Roof/Cornice
- Masonry/Siding
- Storefront
- Window(s) Number of windows: 4 joints

Landscape Feature:

- Fence
- Streetscape
- Other Site feature (describe)
Wdw - Joint Metal Trim, Interior & Exterior

New:

- Addition
- Accessory Structure
- Sign
- Mural
- Accessibility Ramp
- Energy Improvements
- Mechanical Equipment
- Primary Structure

Will the proposed alteration be visible from any public right-of-way? Yes No

Project's Existing Material: 135 degree glass joint filled with sealant Project's New Material: 135 glass joint with Metal trim applied interior & exterior


Project Description

Briefly provide an overview of the type of work proposed. Describe how it meets the applicable design criteria in SRC Chapter 230. Please attach any additional information (i.e., product specification sheets) that will help staff and the HLC clearly understand the proposed work:

1. Glass Storefront approved under Class I HDR with desire to add Metal Trim Element at 135 degree glass joints, (4) locations, at Interior & Exterior (See Mock-up of Storefront provided to Kimberli Fitzgerald) This trim will be secured in place within the window frame each end and bedded into joint with sealant to match installation material.

~~Withdrawn 2. Request Temporary Covered Platform on Court St to be made Permanent - To provide Seasonal protection of patrons by way of custom fabricated Canvas & Clear Vinyl Draw Up Panels applied to all 4 sides except the platform entry which is to remain open at all times during normal business hours.~~

2. Request installation of new signage on the primary facade (see attached drawings)

Signature of Applicant 

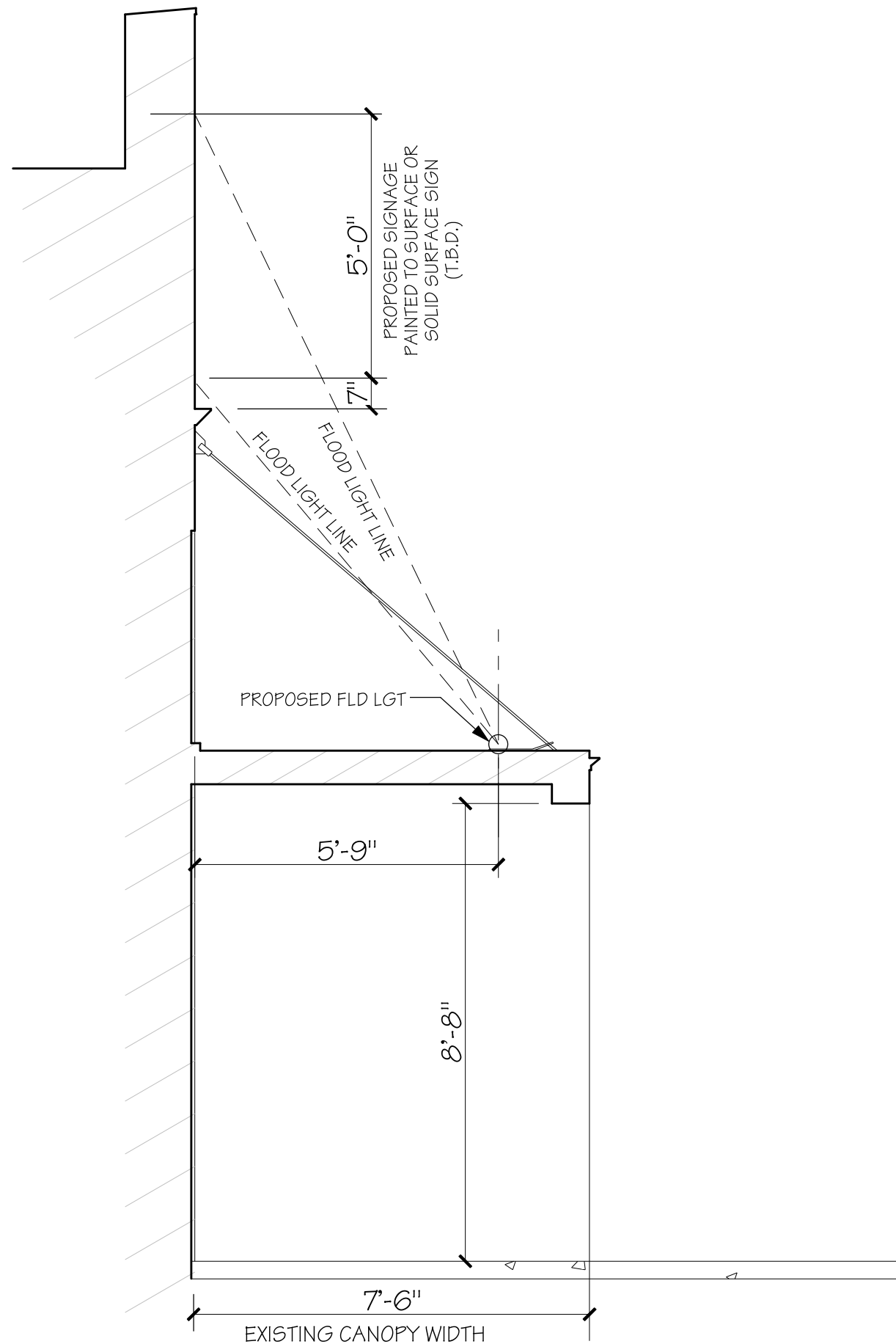
11/19/21

Date Submitted/Signed

Updated 12/21/21



SIGNAGE ELEVATION - OPTION #2



SIGNAGE/LIGHT PROJECTION DET.

ELEVATION FROM STREET

3/8" = 1'-0"



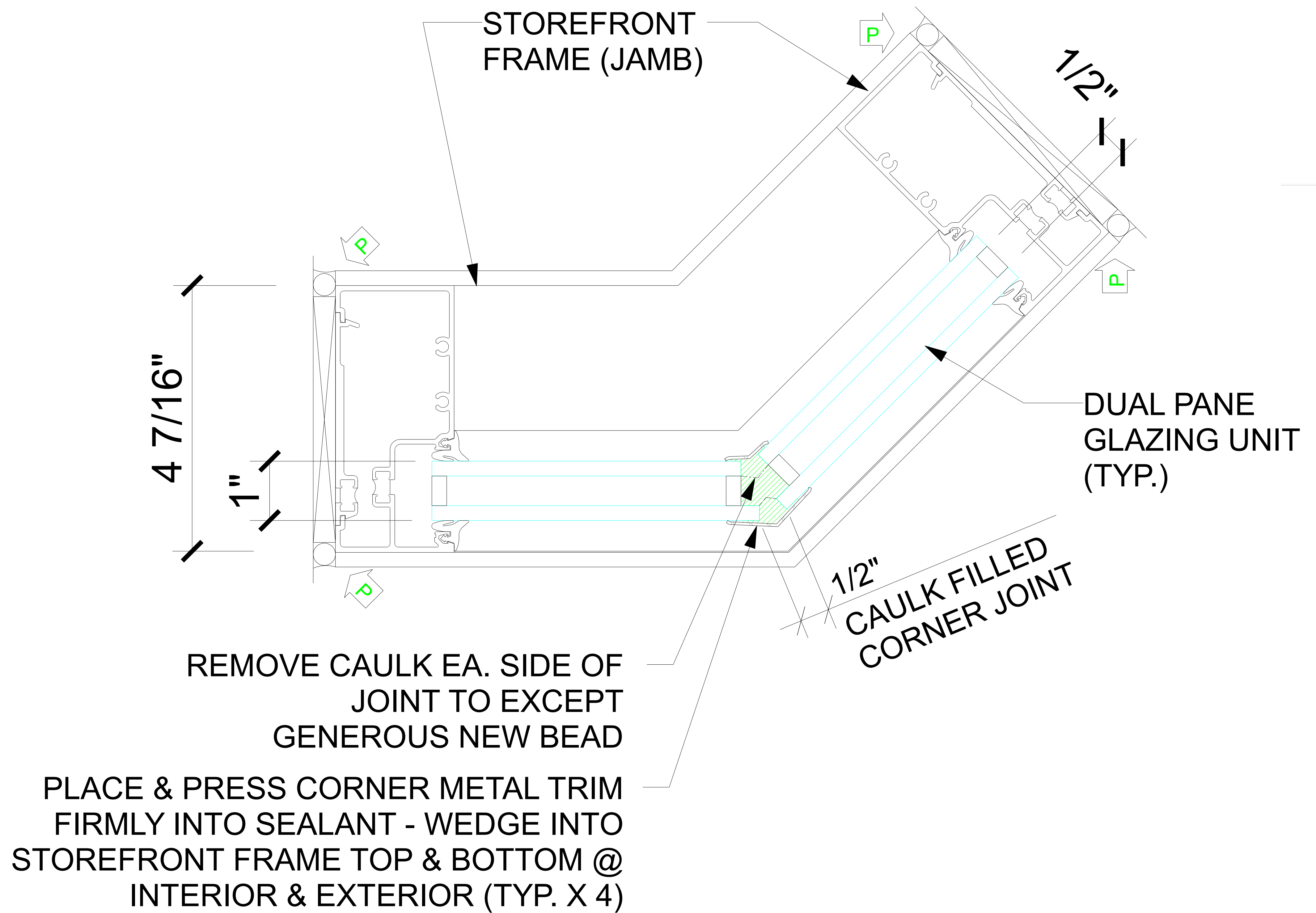
Storefront; East Side of entry



Storefront – West side of entry



Transom windows



1 SECTION @ METAL/GLASS JOINT
 A2 45 DEGREE CORNER - ADD MTL TRIM 12" = 1'-0"

VERIFY ALL CONDITIONS & DETAILS PRIOR TO CONSTRUCTION

COMMENTS & REVISIONS

NO.	DESCRIPTION

DATE	11/21/2021
SCALE	PER PLAN/ DETAIL
PLOT DATE	